

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas mammography is an excellent method for early detection of localized breast cancer, which has a 5-year survival rate of more than 97 percent;

Whereas the National Cancer Institute and the American Cancer Society continue to recommend periodic mammograms; and

Whereas the National Breast Cancer Coalition recommends that each woman and her health care provider make an individual decision about mammography: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 15, 2004, as “National Mammography Day”; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the day with appropriate programs and activities.

AMENDING TITLES III AND IV OF SOCIAL SECURITY ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3463, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3463) to amend titles III and IV of the Social Security Act to improve the administration of unemployment taxes and benefits.

There being no objection, the Senate proceeded to consider the bill.

Mr. NICKLES. Mr. President, I rise in support of H.R. 3463, the SUTA Dumping Prevention Act of 2003. This bill cleared the House on July 14 by voice vote, and was held at the desk in the Senate to facilitate its quick passage. On July 15, I introduced a companion bill with Senator KENNEDY, S. 2662, and it is cosponsored by Senators GRASSLEY, BAUCUS, ENSIGN, LEVIN, GREGG and MURRAY.

SUTA stands for State Unemployment Tax Avoidance. This bill addresses employers who have lowered their State unemployment tax rate by changing their “experience rating.” Experience rating is used to determine an employer’s unemployment tax rate. It means that companies who have laid off more workers are required to pay more in State unemployment taxes, and companies that have had fewer layoffs pay less. Experience rating provides several incentives for employers, including encouraging employers to maintain a stable workforce, and an incentive to contest claims when employees quit or are fired for cause.

This legislation cracks down on employers who intentionally avoid paying their fair share of State unemployment taxes. It prohibits shifting employees into shell companies with the sole purpose being to avoid paying the proper amount in unemployment taxes by changing their experience rating. H.R. 3463 ends this abusive practice by requiring States to deter tax rate manipulation and prevent SUTA dumping by requiring that tax rate-related unem-

ployment experience be transferred with a business once it is transferred to another employer. It also imposes penalties when the law is violated.

SUTA dumping was first exposed in December 2002 by the Labor Department’s Employment and Training Administration. Since then several States have enacted SUTA dumping legislation, including Arkansas, Maine, North Carolina and Washington. Though according to the General Accounting Office, three-fifths of State unemployment administrators indicated their State law is unable to combat the problem.

H.R. 3463 also includes language to make sure unemployment insurance payments are not fraudulently paid to people who have returned to work. The legislation includes a new hire database provision that authorizes States to access nationwide work history information to ensure that workers on a payroll are not also collecting an unemployment check.

The Congressional Budget Office estimates that H.R. 3463 will decrease the Federal deficit by \$499 million over 5 years and \$510 million over 10 years. The savings result from increased collections from employers who are currently engaging in SUTA dumping, and additional savings from eliminating fraudulent unemployment insurance payments to employed workers. The SUTA dumping provision will reduce the Federal deficit by \$429 million over 10 years, and the new hire database provision by \$81 million over 10 years.

These revenues will be added to unemployment trust funds, which include triggers that lower unemployment tax rates as trust fund balances rise. Enactment of H.R. 3463 promotes fairness and will lead to reduced tax rates for employers who are today overtaxed.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3463) was read the third time and passed.

RECOGNIZING NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

Mr. FRIST. I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 221 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 221) recognizing National Historically Black Colleges and Universities and the importance and accomplishments of historically Black colleges and universities.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the resolution and preamble be agreed en bloc, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD, with the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 221) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 221

Whereas there are 105 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities are credited with making higher education financially attainable for individuals who otherwise may not have been able to afford postsecondary education;

Whereas historically Black colleges and universities have significant success rates.

Whereas historically Black colleges and universities provide a supportive social, cultural, and racial environment for people of color who are seeking a college education;

Whereas in the United States historically Black colleges and universities have educated 75 percent of all Blacks having Ph.D.s, 46 percent of all Black business executives, 50 percent of all Black engineers, and 80 percent of all Black Federal judges;

Whereas in the United States historically Black health professional schools have trained an estimated 40 percent of all Black dentists, 50 percent of all Black pharmacists, and 75 percent of all Black veterinarians;

Whereas in the United States historically Black colleges and universities have educated an estimated 50 percent of all Black attorneys and 75 percent of all Black military officers; and

Whereas historically Black colleges and universities have produced Members of the United States Congress, State legislators, writers, musicians, actors, engineers, journalists, teachers, scholars, judges, pilots, activists, business leaders, lawyers, and doctors: Now, therefore, be it

Resolved, That the Senate—

(1) fully supports the goals and ideals of National Historically Black Colleges and Universities;

(2) salutes and acknowledges historically Black colleges and universities and their presidents, faculties, staff, and trustees for their vigorous and persistent efforts in support of equal opportunity in higher education;

(3) commends the students who benefit from historically Black colleges and universities for their pursuit of academic excellence; and

(4) requests that the President issue a proclamation calling on the people of the United States and interested groups to conduct appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities in the United States.

CONGRESSIONAL AWARDS GOLD MEDAL RECIPIENTS

Mr. FRIST. I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of S. Res. 400 and the Senate